

Application Serial No. 10/669,913
Reply to Office Action of December 27, 2006

PATENT
Docket: CU-3369

REMARKS/ARGUMENTS

Claims 1-4 are pending in this application. In the office action mailed December 27, 2006, the claims were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. patent 6,750,839 to Hogan.

The rejections were improper and must be withdrawn for at least two reasons.

1. The rejection was improper under existing USPTO examination guidelines.

On page 700-48 of the of the Eighth Edition of the Manual of Patent Examining Procedure (MPEP), section 706.02(j) states that in order to establish a *prima facie* case of obviousness, three, basic criteria must be established by an examiner. First, an examiner must show a suggestion or motivation to modify a reference or to combine the teachings of different references. Second, an examiner must show that there is a reasonable expectation of success of the modified reference or combined references. Third, an examiner must show that the prior art reference (or combined references) teach all the limitations of a claim under examination.

The obviousness rejection did not comply with USPTO guidelines set out in the MPEP.

In rejecting the claims, the Examiner admitted that Hogan does not teach the claim 1 limitation that requires storing data. In order to ostensibly "find" the claim 1 limitation missing from Hogan, the Examiner concluded, *sua sponte*, that someone of "ordinary skill" would modify Hogan to store data representing input data values. The Examiner did not present a single reason as to *why* someone of ordinary skill would want to modify Hogan nor did the Examiner present an explanation as to *how* someone would modify Hogan to come up with the device claimed in claim 1. It tests a person's credulity to accept the Examiner's "finding" that a person of ordinary skill would delete from Hogan, VP, VN, the serial interface 36 and the controller 34, and substitute for those components, a data storage section as claimed in claim 1. The Examiner's finding of obviousness was entirely conclusory because it was made without any supporting facts or supporting evidence.

There is also no chance that Hogan could be successfully modified to satisfy both the explicit teachings of Hogan and the requirements of pending claim 1. Hogan

Application Serial No. 10/669,913
Reply to Office Action of December 27, 2006

PATENT
Docket: CU-3369

teaches the use of two registers, VP and VN, which hold only single data values. These two registers receive data from a controller, which determines when to send new values to VP and VN. The Examiner has not explained how someone could modify the structure of Hogan to come up with the structure recited in claim 1 and the Examiner has presented absolutely no evidence that such a purely hypothetical modification would be successful, in view of Hogan's stated reasons for wanting the VP and VN values to be changed under processor control.

Referring to Hogan, in column 3, lines 54-55, Hogan teaches that "[t]he VP and VN registers...receive their contents from a serial interface 36, which is controlled by controller 34." In lines 60-64 of column 3, Hogan teaches that sending new data values to the VP and VN registers (from the controller 34) "cuts the number of DACs required to provide correction voltages...."

Since a controller or processor does not store data *per se*, Hogan therefore teaches that it is preferable for a controller to somehow determine what the correction factors should be, and thereafter send new values to VP and VN. Contrary to what Hogan teaches, pending claim 1 requires pixel image correction data to be stored, *in advance* of its use and need.

Unless the Examiner intends to ignore the examination requirements of the MPEP, the obviousness determination of pending claim 1 did not comport with MPEP examination guidelines and is wrong. The rejections under Hogan should be withdrawn.

2. Even If the rejections were proper, the claims as amended avoid the cited art.

Notwithstanding the impropriety of the rejections, the applicant has amended claim 1 to more carefully articulate the subject matter being claimed and to more explicitly avoid the Hogan reference.

Paraphrased, claim 1 has been amended to more clearly recite that the analog voltage signal generator stores data that represents a plurality of different input digital data signals. The analog signal voltage generator is also claimed to convert the stored digital data signals into different corresponding analog signals. Importantly, the stored data is used to create a plurality of different analog voltage signals.

In Hogan, the VP and VN registers can store only single data values, each of

Application Serial No. 10/669,913
Reply to Office Action of December 27, 2006

PATENT
Docket: CU-3369

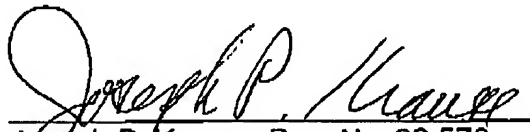
which can be converted into only a single analog voltage signal. In order to create a different analog voltage signal, the registers VP and VN of Hogan must be loaded with new data values obtained from the controller 34 via a serial data link 36. Thus, the VP and VN registers of Hogan do not store a plurality of data values as amended claim 1 now requires. The link 36 and the processor 34 also do not store values, thus there is no structure disclosed in Hogan that corresponds to the claim 1 limitation that requires input data signals to be stored as data.

Support for the amendment to claim 1 can be found on page 9, lines 2-10 as well as in claim 2. No new matter has been added.

The applicant submits that no reference cited by the Examiner shows or suggests the limitations of amended claim 1. The claim is therefore in condition for allowance. Claims that depend from claim 1 are therefore also in condition for allowance. Reconsideration of the pending claims is respectfully requested.

Sincerely,

Dated: March 7, 2007


Joseph P. Krause, Reg. No. 32,578
Ladas & Parry
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300